



Indiana Pro Bono Commission
One Indiana Square, Suite 530
Indianapolis, IN 46204

Indiana Bar Foundation
230 East Ohio Street, Suite 200
Indianapolis, IN 46204

COMBINED 2005 DISTRICT REPORT, 2007 PRO BONO GRANT APPLICATION, AND 2007 PLAN

Pro Bono District 2

Applicant: District 2 Pro Bono Legal Services Committee

Mailing Address: 17561 State Road 23

City: South Bend, IN **Zip:** 46637

Phone: (574) 277-0075 **Fax:** (574) 273-9545

E-mail address: 2districtprobono@sbcglobal.net

Judicial Appointee: The Honorable Jenny Pitts Manier

Plan Administrator: Mary J. Anderson, Esq.

Names of Counties served: St. Joseph, Elkhart, Kosciusko, and Marshall

Percentage of volunteer attorneys (as defined on page 3) who accepted a pro bono case in 2005 per registered attorneys in district, i.e. the district's pro bono participation rate 9 %
To the extent the pro bono participation rate information is available by county, please provide below.

County	Number of volunteer attorneys	Number of registered attorneys*	Percentage of Participation
St. Joseph	71	542	13%
Elkhart	6	220	3%
Kosciusko	3	86	3%
Marshall	5	47	11%
All counties	85	895	9%

***Number of registered attorneys per the Clerk of the Indiana Supreme Court**

Number of potential clients requesting help in 2005 (limit this to actual intake done or sessions in which plan administrator or his/her delegate provided more than minimal assistance): 720

Amount of grant received for 2006: \$49,000.00

Amount of grant (2006 & prior years) projected to be unused as of 12/31/06: \$0

Amount requested for 2007: \$79,200.00

One supplemental, explanatory page may be added to the end of this report and plan.

2007 PLAN SUMMARY

1. Please write a brief summary of the 2007 grant request. Please include information regarding your district's planned activities including committee meetings, training, attorney recognition, newspaper or magazine articles, marketing and promotion. The grant request should cover needs to be addressed, methods, target audience, anticipated outcomes, and how past difficulties will be addressed.

2007 will be the first complete year for our district's new plan administrator. Consequently, the district has many new ideas and goals that it wishes to implement in 2007. In order to achieve its goals, the District 2 Committee plans to meet quarterly to discuss the district's progress in reaching the goals it has set for the year. These meetings will also be used to explore the experience of our committee members to assist in gathering new ideas and suggestions.

Training opportunities and attorney recognition serve the dual purpose of educating District 2 attorneys in the areas of law from which we most often receive requests, as well as providing incentives and rewards for our volunteer attorneys. Because of the importance of these activities, our goal is to provide three (3) CLE seminars in 2007. It is our goal that at least one of these seminars is conducted outside of St. Joseph County in order to make this training as accessible as possible to all attorneys practicing in District 2. In terms of attorney recognition, it has been the previous practice of our district to host an annual attorney recognition event in the fall of every year. This event is co-hosted by our local Indiana Legal Services' office. Our goal for 2007 is to continue this tradition and to host a guest speaker for the event and secure for attendance Ethics CLE credit. We also would like to recognize our volunteer attorneys at the end of the year by publishing in one or more newspapers serving the District a message of gratitude and thanks to all participating attorneys, and individually list the names of the attorneys (with his or her permission). It is also our goal that all attorneys accepting new cases receive a thank you note signed by our judicial chair containing information on upcoming CLEs, free Lexis/Nexis use information, and any scholarship information.

In order to market our program to non-participating attorneys, we want to begin to implement the practice of obtaining the names and addresses of all new registered attorneys in our district and sending them our informational brochure and a form for registering as one of our volunteer attorneys. Another marketing goal is to use the resources provided through our participation in the Law Student Pro Bono Mentoring Initiative Program in order to draft an article for consideration for publication in a state periodical regarding the benefits of participation in pro bono practice. A copy of this article could be used as a marketing tool to attorneys who have not yet participated in our program.

Our district has identified several needs we would like to address in 2007. First, our program is in need of a modern, professional database of clients, attorneys, and attorney hours that will aid in the tracking of the status of cases, and the compilation of statistics that will aid in assessing the needs of our community. This goal can be achieved by the purchase of new hardware, software, and data entry. We are also striving to provide our volunteer attorneys with new, detailed intake forms that will significantly aid in the preparation of court documents, along with client retainer agreement forms for pro bono clients that can be used by volunteer attorneys. The program is also addressing the needs of Spanish-speaking clients. The new plan administrator is bilingual and has already assisted Spanish-speaking clients. The program would like to better address the Hispanic community by matching clients with Spanish-speaking attorneys.

The method by which we plan to assess other needs of our community and volunteer attorneys is through a district-wide survey to both participating and non-participating attorneys. This survey will also aid in the development of new incentives. Prior to creating the survey, we plan on enlisting the aid of the Indiana Pro Bono Commission and the ABA Pro Bono Committee to assist us in identifying our target market for the survey; creating our recruiting message; and determining the best technique for reaching out to both participating and non-participating attorneys. It is anticipated that the outcome of such a survey will provide us with valuable information to be used in incentive programs, creating more useful CLE opportunities, and discovering new wants and needs of our volunteer attorneys. We will survey District 2 attorneys to determine interest in training opportunities for their staff; law student-assisted research; and a pro bono or reduced-cost mediation program for family law cases. Our district would also want to experiment with hosting a pro se workshop in order to identify if such workshops, with proper advertising, would be popular in the community and provide effective assistance to pro bono litigants.

The year 2007 will also be an opportunity to address the following past difficulties: a more modest rate of attorney participation in Elkhart, Kosciusko, and Marshall counties; a lack of widespread attorney participation in St. Joseph County; limited CLE opportunities for volunteer attorneys; an inadequate understanding by the judiciary, clerks' offices, and community attorneys as to the different legal services programs in our district and their roles.

It is our district's goal to obtain more participation by all attorneys through the use of the survey, and another mass mailing to register new attorneys on our volunteer list. We also hope to create more CLE opportunities by attempting to obtain approval to receive CLE credit for video/DVD presentations, such as the ABA's Child Custody and Adoption Pro Bono Project video training series. Finally, we plan to provide informational brochures to the judiciary, clerks' offices, volunteer attorneys, and local bar associations on our program. We hope to coordinate CLE opportunities with Indiana Legal Services and the Notre Dame Legal Aid Clinic and Law School which will not only provide more training for our volunteer attorneys, but will also be an opportunity to provide clarification of the roles of our individual programs.

2005 REPORT OF VOLUNTEER ATTORNEY CASES IN DISTRICT 2

Please attach additional pages for each pro bono provider that receives IOLTA funding, whether directly or indirectly, in your district. See the sample additional pro bono provider page 3A. Please list each attorney only once in the volunteer attorney column but complete one line for each pro bono case for that attorney.

Definitions

Case: A legal matter referred to and accepted by a pro bono attorney volunteer. This includes mediation and GAL services.

Volunteer Attorney: An attorney who has rendered pro bono service to at least one low-income client during the year or accepted a pro bono referral from the identified program. This does not include attorneys who are on the list of pro bono volunteers but who have never taken a case. The case numbers do not include cases screened, only cases actually referred to a pro bono attorney. This also includes an attorney who has worked solely on a pending pro bono case that was neither opened nor closed during the reporting year.

Case Type: Please use the abbreviations listed in Indiana Supreme Court Administrative Rule 8(B)(3) or any other defined abbreviation.

Name of Pro Bono Provider (includes legal service provider, court, plan administrator, bar association, and other organizations): **District 2 Pro Bono Legal Services Committee**

IOLTA funding accounts for 100 % of total pro bono provider budget. Please state the percentage of volunteers and cases which are attributable to IOLTA funding 100%. If this percentage is substantially more than the percentage of IOLTA funding, please explain.

Volunteer Attorney Name	County	Number of new cases accepted/opened in 2005	Number of cases closed in 2005	Number of cases pending in 2005 that were neither opened nor closed in 2005	Number of hours for cases closed in 2005 (column 4)	Case Type
Joseph Amaral	St. Joseph	0	1	0	1	PL
Michael Arnold	St. Joseph	1	0	0		PL
Rosalind Bachtel	Elkhart	1	1	0	5	DR
Kelly Baer	St. Joseph	1	1	0	11	DR
Larry Beeson	Kosciusko	1	1	0	2	DR
Edward Benchik	St. Joseph	1	0	0		Bankruptcy
Laura Ezzell	Elkhart	1	1	0	3	PL
David Bent	St. Joseph	1	1	0	1	AD
Donald Berger	St. Joseph	1	0	1		DR
Bruce Bonduran	St. Joseph	1	1	0	3	ES
James Burke	St. Joseph	1	0	0		JP
James Butts	St. Joseph	2	1	0	16	DR
Kevin Butler	St. Joseph	1	0	0		ES
Rebecca Butler	Elkhart	1	2	0	14	DR
John Broden	St. Joseph	1	0	0		DR
Robert Canfield	St. Joseph	1	0	1		DR
Eugene Chipman	Marshall	1	1	2	10	DR

Paul Cholis	St. Joseph	0	0	2		DR
Sherry Clarke	St. Joseph	20	16	1	211	DR
James Clevenger	Marshall	0	1	0	4	DR
Dianna Cole	St. Joseph	3	2	0	5	DR
Mary Connelly	Marshall	1	0	0		DR
Brien Crotty	St. Joseph	0	0	1		DR
Paul Crowley	St. Joseph	2	2	1	10	DR
Aladean DeRose	St. Joseph	2	0	0		DR
Stephen Drendall	St. Joseph	5	3	0	18	DR
Harolyn Dutt	St. Joseph	1	0	0		DR
Bernard Edwards	St. Joseph	1	1	0	4	ES
Fritz Ettl	St. Joseph	0	0	1		DR
Janine Felder-Kahn	St. Joseph	1	0	0		DR
George Filippello	St. Joseph	2	0	0		DR
Rebecca Fischer	St. Joseph	0	0	1		PL
William Fortin	Marshall	1	1	0	3	DR
Martin Gardner	St. Joseph	1	0	0		CT
Carl Greci	St. Joseph	1	1	1	1	PL
Fred Hains	St. Joseph	0	0	1		DR
James Hall	St. Joseph	0	0	1		DR
Andrea Halpin	St. Joseph	0	0	2		DR
Thomas Hamilton	St. Joseph	1	1	0	5	DR
Lyle Hardman	St. Joseph	1	0	0		PL
B. Douglas Hayes	Elkhart	0	1	0	15	DR
Mitch Heppenheimer	St. Joseph	1	1	0	22	DR
George Herendeen	St. Joseph	1	0	0		DR
George Horn, Jr.	St. Joseph	0	1	0	30	PL
Jeremy Humphrey	Marshall	1	0	0		DR
Ronald Jaicomo	St. Joseph	1	1	0	3	DR
Mark James	St. Joseph	3	0	1		DR
Jeffrey Johnson	St. Joseph	1	2	0	34	DR
Susan Johnson	St. Joseph	2	2	0	17	SC
William Jonas, Jr.	St. Joseph	0	0	1		CT
Fred Jones	Marshall	1	0	1		DR
Matt Kaczmarek	St. Joseph	1	1	0	4	SC
David Keckley	St. Joseph	0	0	2		GU
David Kessler	St. Joseph	1	0	0		PL
James Knepp	St. Joseph	1	1	1	8	GU
Lee Korzan	St. Joseph	0	0	1		PL
John Krisor	St. Joseph	0	1	0	6	PL
Vern Landis	Elkhart	0	1	0	1	DR
Jay Lauer	St. Joseph	1	1	1	4	DR
Douglas Lemon	Kosciusko	0	0	1		DR
Mark Lenyo	St. Joseph	0	0	1		DR
John Lloyd	St. Joseph	0	0	1		CT
Marvin Lopata	St. Joseph	0	1	0	7	DR
Eric Marshall	St. Joseph	0	0	1		Administrative

Patrick McFadden	St. Joseph	0	0	1		DR
Lee Mellinger	Elkhart	1	1	0	6	DR
Ann Carol Nash	St. Joseph	0	1	0	5	PL
Theodore Noell	St. Joseph	1	1	1	8	GU
Richard Nussbaum	St. Joseph	1	0	0		SC
Steven Parkman	St. Joseph	0	0	2		CT
Chrissy Payne	Elkhart	0	1	0	6	DR
Rita Parsons	Elkhart	0	1	0	2	DR
John Peddycord	St. Joseph	0	0	1		GU
Daniel Pfeifer	St. Joseph	0	1	0	12	CT
Mark Phillipoff	St. Joseph	1	1		2	DR
David Redding	Elkhart	0	0	1		PL
Michael Rehak	St. Joseph	2	0	1		DR
Colin Reilly	St. Joseph	1	0	1		SC
Charles Rice	St. Joseph	0	0	1		DR
Amanda Richman	St. Joseph	0	0	1		DR
Jay Rigdon	Kosciusko	0	1	0	7	DR
Irving Rosenberg	St. Joseph	0	0	1		Bankruptcy
Robert Rosenfeld	St. Joseph	0	1	0	11	Administrative
Aric Rutkowski	St. Joseph	0	1	0	3	DR
Diane Shields	St. Joseph	1	1	0	6	DR
Phil Skodinski	St. Joseph	0	0	1		DR
Andrea Slagh	St. Joseph	1	1		3	AD
Jeff Stesiak	St. Joseph	0	0	1		CT
Thomas Stipp	St. Joseph	0	1	0	6	DR
Michael Trippel	St. Joseph	1	0	0		SC
Bradley Varner	St. Joseph	1	0	1		DR
Julie Verhey	St. Joseph	0	0	1		DR
Spencer Walton	St. Joseph	1	0	0		DR
James Walmer	Kosciusko	1	1	0	8	DR
Thomas Walz	St. Joseph	1	0	0		Bankruptcy
E. Andrea Welch	St. Joseph	1	0	0		DR
Jay Whitmer	Elkhart	0	1	0	7	DR
William Wilson	St. Joseph	1	0	0		DR
Matt Yeakey	Elkhart	0	0	1		SC
Mario Zappia	St. Joseph	2	1	1	2	DR
Spring Zmudsinski	St. Joseph	1	1	0	4	DR
TOTAL:	<i>No total needed</i>	TOTAL: 94	TOTAL: 70	TOTAL: 45	TOTAL: 599	<i>No total needed</i>

INFORMATION ACTIVITY IN DISTRICT 2

This limited legal information chart can include activities such as pro se clinics and call-in or walk-in informational services.

Please attach additional pages for each pro bono provider that receives IOLTA funding, whether directly or indirectly, in your district. See the sample additional pro bono provider page 4A. Please list each attorney only once in the volunteer attorney column but complete one line for each type of legal information activity for that attorney.

Name of Pro Bono Provider (includes legal service provider, court, plan administrator, bar association, and other organizations): **District 2 Pro Bono Legal Services Committee**

Volunteer Attorney Name	County	Type of Activity	Number of Hours
TOTAL:	0		TOTAL: 0
OVERALL VOLUNTEER ATTORNEY TOTAL:	0		OVERALL HOURS TOTAL: 0

2005 REPORT

Please list your District's 2005 activities--including committee meetings, training, attorney recognition, newspaper or magazine articles, marketing and promotion--in chronological order.

<u>Date</u>	<u>Activity</u>
January 21, 2005	Plan administrator attended CLE training on revised child support & parenting time guidelines in Indianapolis, Indiana
May 4-7, 2005	Plan administrator attended pro bono "Nuts & Bolts" program, NLADA-NAPBRO Equal Justice Conference in Austin, Texas
May 10, 2005	Plan Administrator spoke to Indiana Pro Bono Commission regarding District 2 Committee's program in Indianapolis, Indiana
June 1, 2005	Meeting of the District 2 Pro Bono Legal Services Committee, South Bend, Indiana
June 21, 2005	St. Joseph County Bar Association Pro Bono Committee meeting
July, 2005	Appointment of the Honorable Jenny Pitts Manier as the District 2 Committee Chair
July-August, 2005	Plan administrator and chair reorganized the program as an Indiana non-profit corporation, established a payroll, acquired insurance coverage, moved District 2's offices, and drafted the by-laws
October 21, 2005	Plan Administrator attended Plan Administrator Retreat and the Randall Shepard Award Dinner in Indianapolis, Indiana
November 8, 2005	Meeting of District 2 Pro Bono Committee in Plymouth, Indiana
November 10, 2005	Recognition luncheon for St. Joseph County volunteers [see article in Indiana Lawyer Pro Bono insert for details]
December 6, 2005	Plan Administrator drafted letter to Kosciusko County attorneys promoting District 2 Pro Bono Program

2005 REPORT

Please provide a short summary of how the provision of pro bono service is coordinated in your district, including the intake process, the relationships of pro bono providers in the district, how referrals are made, and how reporting is done.

District 2 is fortunate to have three (3) pro bono service providers: the District 2 Pro Bono Legal Services Committee; the Notre Dame Legal Aid Clinic; and Indiana Legal Services. These three programs have distinctive features in terms of what cases they will accept and how clients are represented. Notre Dame Legal Aid Clinic neither receives federal nor state funding and, therefore, the program is not limited by any regulations in terms of what type of cases it make accept and income thresholds of its clients. Nonetheless, it is known that the program handles cases through its staff attorneys and primary accepts landlord/tenant law cases. Indiana Legal Services primarily receives federal funding and has very defined limitations on the types of cases it will accept. Indiana Legal Services has staff attorneys handle its cases, however, the program also has a panel of private bar attorneys who handle cases.

All three programs have coordinated their intake processes. The local office of Indiana Legal Services provides intake services for all three programs. If Indiana Legal Services is not able to accept a case for representation, the case may be referred to the District 2 program or Notre Dame Legal Aid. Additionally, District 2 receives intake by telephone; e-mail; and referrals from judges, the bar associations, agencies such as Catholic Relief Services and the YWCA, and the private bar.

During 2005, the District 2 Pro Bono Program received requests from over 500 persons for pro bono legal services. The Plan Administrator recorded intake in 509 cases. Of those persons, 100 were referred to a pro bono attorney; 65 were provided pro se forms; and 164 received advice and/or referral to other resources. The remaining 180 applicants were declined primarily due to financial ineligibility, lack of merit, type of case, failure to complete application, or inability to find a volunteer attorney in a reasonable amount of time.

The District 2 program participated in frequent meetings with the St. Joseph County Bar Association Pro Bono Committee, at which our program shared progress reports on recruitment and referral of cases to pro bono attorneys, and considered other strategies to facilitate representation of low-income persons. Our program was able to place cases with 11 first-time volunteers in St. Joseph County, and 6 other first-time attorneys in the district, particularly due to the efforts of District 2 committee member Dana Leon of Kosciusko County, Judge Rieckhoff of Elkhart County, and Mary Lou Connelly of Marshall County.

In the Fall of 2005, our program entered into a space-sharing agreement with the Indiana Legal Services office in South Bend, which helped to provide cooperation in intake, referral and administration of our parallel pro bono programs.

Finally, our program nominated attorneys for participation in the NITA program at Indiana University in March 2005, and the family law mediation training in June 2005. We coordinated pro bono mediations performed by those attorneys, as well as Guardian Ad Litem services by three District 2 attorneys who attended a GAL seminar co-sponsored by District 10 last summer.

Please describe any special circumstances, including difficulties encountered, affecting your District's 2005 implementation of its plan.

We planned on creating some coordination with domestic violence agencies through the Family Justice Center administered by the St. Joseph County Prosecutor's Office. However, the Center was never able to find an operating location and attempts to coordinate with them were not successful. Also, we were not able to obtain any students for the Law School Mentoring Project.

There is no organized program for referrals through judges, though we have circulated a list of pro bono mediators and Guardian Ad Litem. There is currently some debate about mediators where pro se clients are involved, and whether the mediator should draft an agreement.

Please note: The new plan administrator has prepared and written the report for 2005, although she did not begin as plan administrator until April 2006. Therefore, the above information has been compiled and written with the assistance of the former plan administrator and the use of past records.

BUDGETS for 2005, 2006 and 2007

Income Category	2005 Actual Income	2005 Budget	2006 Actual Income To Date	2006 Budget	2007 Budget
A. INCOME	<u>\$44, 651.00</u>	<u>\$45, 945.00</u>	<u>\$49,000.00</u>	<u>\$50,560.00</u>	<u>\$79,200.00</u>
1. IOLTA Grant Amount					
Other Income: <i>Explain source(s) and if Actual/Expected in narrative</i>					
2.	0	0	0	0	0
3.	0	0	0	0	0
4.	0	00	0	0	0
5. Total Income (sum of lines A1 - A4)	\$ 44,651.00	\$45,945.00	\$49,000.00	\$50,560.00	\$79,200.00
Expense Category	2005 Actual Expenditures	2005 Budget	2006 Actual Expenditures To Date	2006 Budget	2007 Budget
B. PERSONNEL EXPENDITURES					
1. Plan Administrator	\$29,999.00	\$30,000.00	\$8,346.10	\$31,000.00	\$34,000.00
2. Paralegals	0	0	0	0	\$12,000.00
3. Others - Please explain	0	0	0	0	\$2,000.00
4. Employee benefits	\$6,704.00	\$8,000.00	\$983.79	\$6,900.000	\$7,000.00
a. Insurance	\$763.00	0			
b. Retirement plans					
c. Other - Please explain	0	0	0		
5. Total Personnel expenditures (sum of lines B1 - B4c)	\$37,466.00	\$38,000.00	\$9,329.89	\$37,900.00	\$55,000.00
C. NON-PERSONNEL EXPENDITURES					
1. Occupancy	\$1,500.00	0	\$1,588.20	\$3,600.00	\$7,200.00
2. Equipment Rental	\$407.00	0	\$200.00	\$500.00	\$300.00
3. Office Supplies	\$488.00	\$750.00	\$693.00	\$750.00	\$5,500.00
4. Telephone	\$571.00	\$600.00	0	\$800.00	\$1,100.00
5. Travel	\$244.00	\$300.00	\$160	\$400.00	\$500.00
6. Training	\$275.00	\$295.00	0	\$350.00	\$500.00
7. Library	0	0	0	0	\$250.00
8. Malpractice Insurance	\$1,698.00	\$1,700.00	\$2,460.00	\$2,460.00	\$2,500.00
9. Dues and Fees	\$72.00	\$200.00	0	0	\$650.00
10. Contingent Reserve	0	0	0	0	\$500.00
11. Litigation Reserve	0	0	0	0	\$500.00
12. Marketing and promotion	\$482.00	\$1,900.00	0	\$1,900.00	\$1,500.00
13. Attorney recognition	0	0	0	0	\$1,000.00
14. Litigation expenditures	\$1,348.00	\$1,350.00	0	\$1,200.00	\$1,200.00
15. Property Acquisition	0	0	0	0	0
16. Contract Services	\$100.00	\$850.00	\$125.00	\$700.00	\$500.00

17. Grants to other pro bono providers	0	0	0	0	\$500.00
18. Other - Please explain	0	0	0	0	0
19. Total Non-Personnel Expenditures (sum of lines C1 - C18)	\$7,185.00	\$7,945.00	\$5,226.20	\$12, 660.00	\$24,200.00
D. TOTAL EXPENDITURES (sum of B5 & C19)	\$44,651.00	\$45,945.00	\$14,556.09	\$50, 560.00	\$79,200.00
E. ENDING FUND BALANCE (A5 less D)	\$ 0	\$0	\$34,443.91	\$0	\$0

Budget Narrative

Please provide descriptions of the following line items in the foregoing budget chart, by item number, in the space provided. Please explain any other budget entries that are not self-explanatory, including other sources of income.

Lines (A)(1), (2), (3), (4) Please indicate the number of hours per week for each personnel position, rate of pay, and all employee benefits.

Line(A)(1)-(4): Our committee anticipates that the IOLTA grant funds will be the only funding received by the program in 2007, as such has been the case for 2005 and 2006.

In 2005 until April 7, 2006, one personnel position existed: the plan administrator, an attorney who was working (35) hours per week at approximately \$16.00 per hour and receiving insurance and retirement benefits. The plan administrator was handling a pro bono caseload as well. As of April 10, 2006, the District 2 Committee entered into an agreement with Pro Bono Administration, LLC to provide the administration of the District 2 program. Mary J. Anderson, has become the plan administrator. For the remainder of 2006, the plan administrator receives the remainder of the salary budgeted for 2006 and works approximately (25) hours per week on the administration of the program. Beginning in 2007, it is anticipated that the plan administrator will begin working (35) hours per week. If funding is available, the District 2 program would greatly benefit from the part-time paid assistance of a paralegal to perform data entry for the new database which will include lists of program attorneys, their areas of practice, and their addresses. The part-time paralegal would also assist with the compilation of statistics and reports using the new database, and he or she would also assist with the survey planned for 2007. As indicated on Line B(3), by providing a small stipend for a summer law student intern, this may assist in the past difficulty of participating in the Law Student Mentoring Project

Line (B)(1) Please describe the occupancy cost in terms of square footage, utilities or other amenities and indicate whether the occupancy cost is above or below the market rate for that space.

For approximately the first eight months in 2005, St. Joseph County provided office space for the plan administrator at no cost. However, in the Fall of 2005, the plan administrator's office relocated to office space occupied by Indiana Legal Services. The program rented one office space in downtown South Bend from ILS for approximately \$325.00 per month that included all utilities, use of the copier, and assistance with intake services. This cost is believed to be below fair market value. In April of 2006, the plan administrator's office moved to the offices of Pro Bono Administration, LLC for the remainder of 2006. Pro Bono Administration agreed to rent out this space for only \$300.00 per month given the fact that District 2 had obligations under a lease to ILS until the end of 2006. The office space includes parking for staff and clients; unlimited use of the copier; free internet services and e-mail accounts; unlimited use of a facsimile machine; use of a receptionist to handle walk-in clients and some telephone calls; mail distribution; and all utilities and taxes. This cost is believed to be far below fair market value. It is anticipated that in 2007, this occupancy cost will be \$600.00 per month, which is still believed to be below fair market value.

Line (B) The 2006 Actual Expenditures to Date:

The 2006 actual expenditures to date are as of April 7, 2006, when the previous plan administrator retired.

Line C(3) for 2007:

The amount budgeted for office supplies for 2007 includes a new computer, new software for financial and case/client management, a fax machine, a filing cabinet, a new printer, a bookshelf, and postage for the surveys and other mass mailings to program attorneys. A new computer and software is absolutely necessary for the implementation of a new database. Currently, the District 2 program uses a computer that is at least (8) years old and uses Windows 98 as its operating system, which has prevented the program from using new software.

Line C(9) for 2007:

This line includes membership dues for the bar associations in District 2 and the Indiana State Bar Association.

ANNUAL TIMETABLE FOR SUBMISSION OF FORMS AND CHECKS:

January 1:	Checks distributed
July 1:	Annual report, plan and grant application due to IPBC
November:	Notification of awards
December 1:	IBF grant agreement due and revised budget due

The following representations, made to the best of our knowledge and belief, are being provided to the Indiana Pro Bono Commission and Indiana Bar Foundation in anticipation of their review and evaluation of our funding request and our commitment and value to our Pro Bono District.

Operation under Rule 6.6

In submitting this application for funding, this district is representing itself as having a Pro Bono Plan, which is pursuant to **Rule 6.6** of the Indiana Rules of Professional Conduct. The plan enables attorneys in our district to discharge their professional responsibilities to provide civil legal pro bono services; improves the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations in our district; and ensures access to high quality and timely pro bono civil legal services for persons of limited means by (1) fostering the development of new civil legal pro bono programs where needed and (2) supporting and improving the quality of existing civil legal pro bono programs. The plan also fosters the growth of a public service culture within the district which values civil legal pro bono publico service and promotes the ongoing development of financial and other resources for civil legal pro bono organizations.

We have adhered to **Rule 6.6** (f) by having a district pro bono committee composed of:

- A. the judge designated by the Supreme Court to preside;
- B. to the extent feasible, one or more representatives from each voluntary bar association in the district, one representative from each pro bono and legal assistance provider in the district, and one representative from each law school in the district; and
- C. at least two (2) community-at-large representatives, one of whom shall be a present or past recipient of pro bono publico legal services.

We have determined the governance of our district pro bono committee as well as the terms of service of our members. Replacement and succession members are appointed by the judge designated by the Supreme Court.

Pursuant to **Rule 6.6** (g) to ensure an active and effective district pro bono program, we:

- A. prepare in written form, on an annual basis, a district pro bono plan, including any county sub-plans if appropriate, after evaluating the needs of the district and making a determination of presently available pro bono services;
- B. select and employ a plan administrator to provide the necessary coordination and administrative support for the district pro bono committee;
- C. implement the district pro bono plan and monitor its results; and
- D. submit an annual report to the Commission.

Commitment to Pro Bono Program Excellence

We also understand that ultimately the measure of success for a civil legal services program, whether a staffed or volunteer attorney program, is the outcomes achieved for clients, and the relationship of these outcomes to clients' most critical legal needs. We agree to strive for the following hallmarks which are characteristics enhancing a pro bono program's ability to succeed in providing effective services addressing clients' critical needs.

- 1. Participation by the local bar associations and attorneys.** The associations and attorneys believe the program is necessary and beneficial.
- 2. Centrality of client needs.** The mission of the program is to provide high quality free civil legal services to low-income persons through volunteer attorneys. Client needs drive the program, balanced by the nature and quantity of resources available.
- 3. Program priorities.** The program engages in a priority-setting process, which determines what types of problems the program will address. Resources are allocated to matters of greatest impact on the client and are susceptible to civil legal resolution. The program calls on civil legal providers and other programs serving low-income people to assist in this process.
- 4. Direct representation component.** The core of the program is direct representation in which volunteer attorneys engage in advocacy on behalf of low-income persons. Adjunct programs such as advice clinics, pro se clinics and paralegal assistance are dictated by client needs and support the core program.
- 5. Coordination with state and local civil legal providers and bar associations.** The programs work cooperatively with the local civil legal providers. The partnerships between the civil legal providers and the local bar association results in a variety of benefits including sharing of expertise, coordination of services, and creative solutions to problems faced by the client community.
- 6. Accountability.** The program has mechanisms for evaluating the quality of service it provides. It expects and obtains reporting from participating attorneys concerning the progress/outcome of referred cases. It has the capability to demonstrate compliance with requirements imposed by its funding source(s), and it has a grievance procedure for the internal resolution of disputes between attorneys and clients.
- 7. Continuity.** The program has a form of governance, which ensures the program will survive changes in bar leadership, and has operational guidelines, which enable the program to survive a change in staff.
- 8. Cost-effectiveness.** The program maximizes the level of high quality civil legal services it provides in relationship to the total amount of funding received.

9. Minimization of barriers. The program addresses in a deliberate manner linguistic, sensory, physical and cultural barriers to clients' ability to receive services from the program. The program does not create undue administrative barriers to client access.

10. Understanding of ethical considerations. The program operates in a way which is consistent with the Rules of Professional Conduct; client confidentiality is assured and conflicts of interest are avoided. The staff and volunteers are respectful of clients and sensitive to their needs.

11. ABA Standards. The program is designed to be as consistent with the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means as possible.

No events, shortages or irregularities have occurred and no facts have been discovered which would make the financial statements provided to you materially inaccurate or misleading. To our knowledge there is nothing reflecting unfavorably upon the honesty or integrity of members of our organization. We have accounted for all known or anticipated operating revenue and expense in preparing our funding request.

We agree to provide human-interest stories promoting Pro Bono activities in a timely manner upon request of the Indiana Bar Foundation or Indiana Pro Bono Commission. We further agree to make ourselves available to meet with the Pro Bono Commission and/or the Indiana Bar Foundation to answer any questions or provide any material requested which serves as verification/source documentation for the submitted information.

Explanation of items stricken from the above Letter of Representation:

It is understood that this Letter does not replace the Grant Agreement or other documents required by the Indiana Bar Foundation or Indiana Pro Bono Commission.

Signatures:

Judicial Appointee Signature

Date

Plan Administrator Signature

Date